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| APPLICATION NO.         | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-------------------------|-------------|----------------------|---------------------|------------------|
| 09/941,545              | 08/30/2001  | Michael D. Max       | P 281123 2388-113   | 6095             |
| 909                     | 7590        | 01/20/2004           | EXAMINER            |                  |
| PILLSBURY WINTHROP, LLP |             |                      | BARRY, CHESTER T    |                  |
| P.O. BOX 10500          |             |                      |                     |                  |
| MCLEAN, VA 22102        |             |                      | ART UNIT            | PAPER NUMBER     |
|                         |             |                      | 1724                |                  |

DATE MAILED: 01/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

|                  |                 |  |
|------------------|-----------------|--|
| Application No.  | Applicant(s)    |  |
| 09/941,545       | MAX, MICHAEL D. |  |
| Examiner         | Art Unit        |  |
| Chester T. Barry | 1724            |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4 and 6-15 is/are pending in the application.
- 4a) Of the above claim(s) 13-15 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1, 2 and 6-12 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 November 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

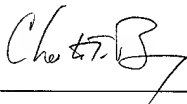
## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input checked="" type="checkbox"/> Other: See Continuation Sheet.       |

The election without traverse of Group I, claims 1, 2, 4, 6 – 12 is noted. Non-elected claims 13 – 15 are withdrawn from consideration. Applicant is requested to cancel them without prejudice. Claim 4 is objected to for being dependent on a cancelled claim 3. Claim 1 is allowed for the step of controlling flow rates such that substantially all of the residual fluid flows downwardly. Claim 11 is allowed for "pre-treating . . . by causing [the] . . . gas [or mixture] to be dissolved" in the water-to-be-treated under conditions at which hydrate does not form.



CHESTERT. BARRY  
PRIMARY EXAMINER

571-272-1152

The US patents cited by applicant include:

|         |         |         |         |         |         |         |         |         |         |         |         |
|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| 3371035 | 3350299 | 4652375 | 5816057 | 5167836 | 4586833 | 6180843 | 3983032 | 5076934 | 3027320 | 3214371 | 5473904 |
| 5397553 | 3350300 | 4670159 | 6296090 | 4278645 | 4696336 | 6028234 | 4170326 | 5128042 | 3119771 | 3217505 | 5553456 |
| 5552891 | 3859492 | 4767527 | 4257022 | 3675439 | 4718242 | 6248965 | 4302959 | 5512176 | 3119772 | 3243906 | 5690903 |
| 135001  | 3892103 | 5037555 | 4376462 | 3712075 | 5110479 | 3309063 | 4843832 | 5570254 | 3126334 | 4621794 | 5873252 |
| 6180843 | 3983032 | 5076934 | 4424858 | 3813862 | 5159971 | 3350299 | 4652375 | 5816057 | 3132096 | 5055178 | 6106595 |
| 6026234 | 4170328 | 5128042 | 6089022 | 3692170 | 5354611 | 3350300 | 4670159 | 6296060 | 3148143 | 5304356 |         |
| 6245955 | 4392959 | 5512176 | 6112528 | 4207351 | 5444986 | 3856492 | 4767527 | 2904511 | 3159610 | 5362467 |         |
| 3308093 | 4643632 | 5679254 | 6159239 | 4678563 | 5497630 | 3892103 | 5037555 | 2974102 | 3171727 | 5446892 |         |